

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
	§	
VS.	§	CRIMINAL ACTION NO. 4:08-CR-76
	§	
CARLOS PAUL GONZALEZ, <i>et al</i> ,	§	
	§	
Defendants.	§	

MEMORANDUM AND ORDER

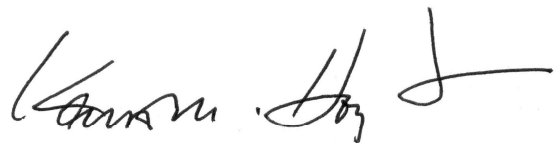
On October 23, 2012, this Court denied Carlos Paul Gonzalez' motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. On April 21, 2014, Gonzalez filed a sheaf of papers. While difficult to understand, it appears that Gonzalez is asking the Court to reconsider its judgment. The filing will be construed as a motion for relief from the judgment under Rule 60(b) of the Federal Rules of Civil Procedure.

Rule 60(b)(6) provides that a court may grant relief from a judgment for any reason that justifies relief. Gonzalez' rambling papers seem to contend that he has filed numerous motions that have not been docketed or have not been ruled on.

This Court denied Gonzalez' motion to vacate on the grounds that Gonzalez knowingly and voluntarily signed a plea agreement in which he specifically waived his right to collaterally attack his conviction or sentence. Gonzalez' new filing does not address his waiver, or demonstrate any error in this Court's prior ruling. Thus, because Gonzalez waived his right to pursue postconviction relief, he is not entitled to relief from the judgment denying his motion to vacate. Accordingly, Gonzalez' motion for relief from the judgment (Doc. No.238) is DENIED.

No certificate of appealability shall issue.

SIGNED on this 1st day of May, 2014.



Kenneth M. Hoyt
United States District Judge